

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Docket No.: PF392

Application No.: 09/225,502

Group Art Unit: 1644

Filed: January 6, 1999

Examiner: A. Decloux

For: Human FK506 Binding Proteins

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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references C7 and C8 listed on the attached Form PTO/SB/08A. A copy of each reference is enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the PTO's duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(c)(2), the Patent Office will consider this First Supplemental Information Disclosure Statement if filed before the mailing date of a final Office Action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in this application, if accompanied by the fee set forth in

08/05/2003 BSAYASI1 00000110 083425 09225502

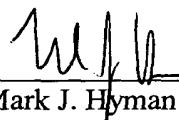
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180.00 DA

§ 1.17(p). Accordingly, the required fee of \$180.00 has been itemized on the Fee Transmittal Sheet submitted concurrently herewith.

Respectfully submitted,

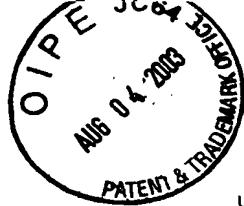
Dated: August 4, 2003



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PTO/SB/08a/b (05-03)

Approved for use through 05/31/2003. OMB 0651-0031
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| Substitute for form 1449/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Application Number | 09/225,502 |
| Sheet | 1 | of | 1 | Filing Date | January 6, 1999 |
| | | | | First Named Inventor | Steven M. Ruben |
| | | | | Art Unit | 1644 |
| | | | | Examiner Name | A. Decloux |
| | | | | Attorney Docket Number | PF392 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|--|-----------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | C7 | SHADIDY et al. "Biochemical analysis of mouse FKBP60, a novel member of the FKPB family," Biochimica et Biophysica Acta 1446:295-307 (1999) | |
| | C8 | JO et al. "Identification and genetic mapping of the mouse Fkbp9 gene encoding a new member of FK506-binding protein family", Mol. Cells 12(2):272-275 (2001) | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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